

# **EXHIBIT I**

DEY LABORATORIES, INC.

MEMORANDUM

TO: Pam Marks  
Charles Rice  
Jean-Pierre Termier

FROM: Robert F. Mozak

DATE: February 24, 1992

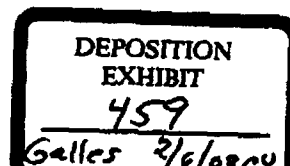
RE: ALBUTEROL PRICING STRATEGIES

Although the pricing strategy will be reviewed at the March 6 meeting, I thought you would be interested in reviewing it sooner in light of the earlier approval of Albuterol.

Essentially this pricing strategy will be followed by Dey sales people through the initial introduction and until competition emerges. If there are any questions, let me know.

Bob

RFM:ms



CONFIDENTIAL  
DL-TX-0090851

PRICING

OBJECTIVES:

- \* TO SEEK THE HIGHEST PRICES POSSIBLE IN RETAIL, HOMECARE AND HOSPITAL SEGMENTS. TO MAXIMIZE DEY PROFITABILITY.
  
- \* TO SEEK LONG - TERM (3 YEARS) AGREEMENTS WITH MAJOR PURCHASING GROUPS FOR ALL DEY PRODUCTS THROUGH LEVERAGING OF ALBUTEROL UD.
  
- \* TO PROVIDE INCENTIVE TO RETAIL / CHAIN PROVIDERS TO USE DEY'S ALBUTEROL UD BY INCREASING THE SPREAD ON MEDICARE / MEDICAID REIMBURSEMENTS.

COMPETITIVE PRICES:

|           | AWP    | WHOLESALE | DIRECT<br>PHCY. |               |
|-----------|--------|-----------|-----------------|---------------|
| SCHERING: | 35.50* | 29.50*    | 31.86           | NEW<br>2/1/92 |
| KEY:      | 32.30  | 24.95     | 26.50           |               |
| DIFF:     | - 8.0% | - 15%     | - 17%           |               |

\* SOURCES: REDBOOK, BLUEBOOK, (2/92)  
FIRST DATA BANK, MEDISPAN

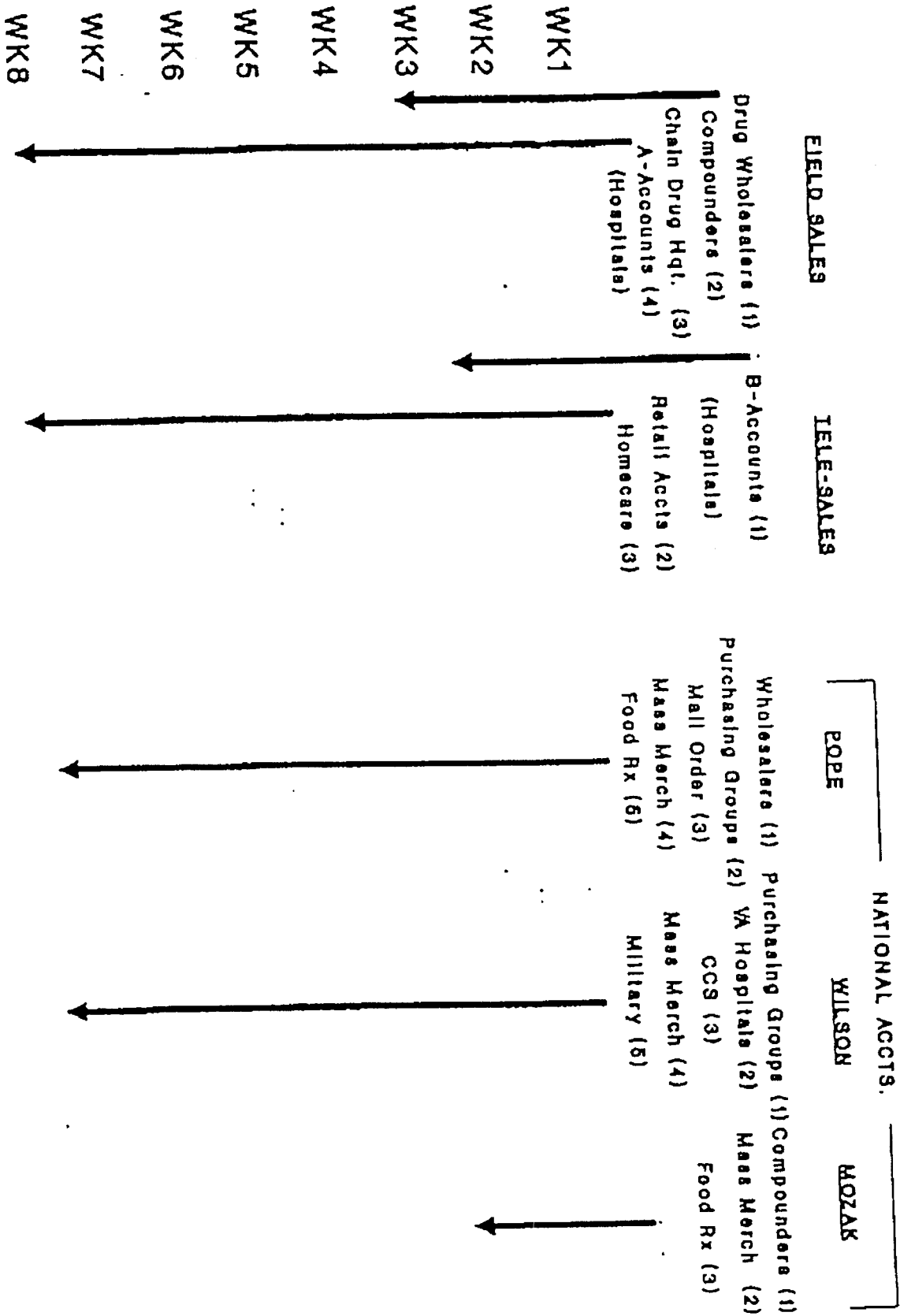
## PRICING STRATEGIES

- 1) INCREASE THE SPREAD TO  
RETAIL / HOMECARE ACCOUNTS  
BY LOWERING ACQUISITION  
COST MORE THAN AWP.
- 2) PHARMACY / CHAIN BID RANGE:  
\$23.95 – \$26.50 (AVG. \$25.95)  
WILL INCREASE SPREAD FOR RETAIL  
AND PROVIDE DEY WITH HIGHEST PROFIT.
- 3) INDIVIDUAL DIRECT HOSPITAL BID RANGE:  
\$19.00 – \$24.95 (AVG. \$22.50)  
WILL PROVIDE INDIVIDUAL HOSPITALS  
INCENTIVE TO USE DEY WHILE MAXIMIZING  
DEY PROFIT.
- 4) LARGE GROUPS PRICES:  
\$11.00 – \$18.00 RANGE (AVG. \$12.50).  
DEY TO BID IN THIS RANGE FOR LONGER  
TERM CONTRACTS (3 YEARS) FOR FULL  
AWARDS.
- 5) COMPOUNDERS:  
MAKING OWN PRODUCT FOR .25 – .30 PER DOSE  
DEY TO SELL FOR .45 – .60 PER DOSE  
(\$11.25 – \$15.00 PER CARTON)  
DEPENDING ON CONTRACT LENGTH AND  
VOLUMES.

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NOTE: PRICING ASSUMES NO INITIAL GENERIC COMPETITION.

# ALBUTEROL SALES COVERAGE



REPRESENT PRIORITIES

| <b>EXHIBIT</b>           | <b>IDENTIFICATION</b>   |
|--------------------------|---|
| <b>Exh JJ</b>            | <b>HHD013-1239</b> Roxane Exhibit 13                            |
| <b>Exh KK</b>            | <b>VAC MDL 43715-43720</b>                                      |
| <b>Exh LL</b>            | Excerpts of Deposition of John M. Lockwood, M.D., July 23, 2008 |
| <del><b>Exh MM</b></del> | April 10, 2000 Complaint  |
| <b>Exh NN</b>            | Excerpts of Deposition of Luis Cobo, March 4, 2008              |
| <b>Exh OO</b>            | DL-TX-0122497   |

**EXHIBIT A**

| <b>EXHIBIT</b> | <b>IDENTIFICATION</b>   |
|----------------|---|
| <b>Exh B</b>   | Chart of Public Disclosures   |
| <b>Exh C</b>   | November 2, 2009 Declaration of T. Mark Jones with exhibits 1-7   |
| <b>Exh D</b>   | Excerpts of Deposition of T. Mark Jones May 9, 2007   |
| <b>Exh E</b>   | Excerpts of Deposition of T. Mark Jones, December 8, 2008   |
| <b>Exh F</b>   | Excerpts of Deposition of John M. Lockwood, M.D July 27, 2009   |
| <b>Exh G</b>   | Excerpts of Deposition of T. Mark Jones, December 9, 2008   |
| <b>Exh H</b>   | Excerpts of Deposition of T. Mark Jones March 18, 2008  |
| <b>Exh I</b>   | <b>DL-TX-0090851-DLTX0090855</b> Dey Exh 259  |
| <b>Exh J</b>   | <b>ROX-04606-ROX 04624</b> Tupa Exh 648   |
| <b>Exh K</b>   | <b>ROX-TX-16255-16256</b> Exh. 132 to Fauci Decl docket # 313-49  |
| <b>Exh L</b>   | Excerpts of Deposition of Luis Cobo March 3, 2003   |
| <b>Exh M</b>   | Excerpts of Deposition of Luis Cobo, July 31, 2008  |
| <b>Exh N</b>   | Excerpts of Deposition of T. Mark Jones May 9, 2007   |
| <b>Exh O</b>   | Excerpts of Deposition of Zachary Bentley, March 6, 2008  |
| <b>Exh P</b>   | <b>VAC MDL 73407</b>  |
| <b>Exh Q</b>   | Excerpts of Deposition of T. Mark Jones, October 8, 2002  |
| <b>Exh R</b>   | Excerpts of Deposition of John M. Lockwood, M.D., 30(b)(6) April 23, 2009   |
| <b>Exh S</b>   | Excerpts of Deposition of John M. Lockwood, M.D. March 17, 2008   |
| <b>Exh T</b>   | Excerpts of Deposition of David Tawes, Vol II April 25, 2007  |
| <b>Exh U</b>   | Excerpts of Deposition of David Tawes Vol III December 13, 2007   |
| <b>Exh V</b>   | Excerpts of Deposition of Robert Vito February 6, 2008  |
| <b>Exh W</b>   | Excerpts of Deposition of Robert Vito. June 20, 2007  |
| <b>Exh X</b>   | Excerpts of Deposition of Nancy Molyneaux, January 11, 2007   |
| <b>Exh Y</b>   | Excerpts of Deposition of Linda Ragone, Vol I April 17, 2007  |
| <b>Exh Z</b>   | Excerpts of Deposition of John M. Lockwood, M.D -30(b)(6) April 24, 2009  |
| <b>Exh AA</b>  | <b>VAC MDL 90973-90975</b>  |
| <b>Exh BB</b>  | <b>VAC MDL 53655</b> Document marked "Attorney's Eyes Only" and Bates numbered R1-022880, marked as Exhibit 525 at 3/3/03 deposition of Luis Cobo in Texas v. Dey case. |
| <b>Exh CC</b>  | <b>VAC MDL 53658</b> Document marked "Attorney's Eyes Only" and Bates numbered R1-022883, marked as Exhibit 530 at 3/3/03 deposition of Luis Cobo in Texas v. Dey case  |
| <b>Exh DD</b>  | Document marked "Attorney's Eyes Only" and Bates numbered R1-030364-30365, marked as <b>Exhibit 515</b> at 3/3/03 deposition of Luis Cobo in Texas v. Dey case          |
| <b>Exh EE</b>  | <b>VAC MDL 49845-49848;</b>   |
| <b>Exh FF</b>  | <b>VAC MDL 73915</b>  |
| <b>Exh GG</b>  | <b>VAC MDL 71681</b>  |
| <b>Exh HH</b>  | <b>MPL 507</b>  |
| <b>Exh II</b>  | <b>VAC MDL 91359-91361</b>  |